

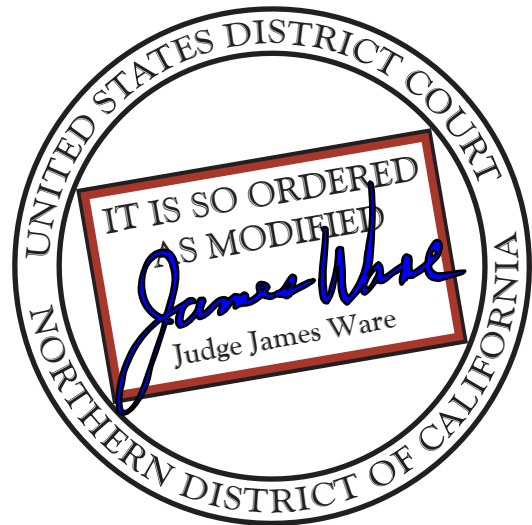
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Attorneys for Plaintiff



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
SAUL DE LOS SANTOS VILLAFAN, )  
 )  
Defendant. )

No. 08-00579-1 JW

STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE DATE OF  
JUDGMENT AND SENTENCING

SAN JOSE VENUE

The parties jointly stipulate, consistent with paragraph 9 of the October 6, 2008 plea agreement, that the date of the Judgment and Sentencing hearing be continued approximately 60 days from March 30, 2009 to May 25, 2009. The reason for the continuance is due to the ongoing criminal proceedings of co-defendant Jaime Cruz-Alvarado (CR 08-00579-2 JW) in the above captioned matter, and the need for Mr. Villafan's continued cooperation in those proceedings.

Furthermore, the United States anticipates that it will be moving for a departure from the Sentencing Guidelines pursuant to U.S.S.G. § 5K1.1 and 18 U.S.C. § 3553(e), conditioned upon

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1 Mr. Villafan's ongoing compliance with the plea agreement and continued cooperation with law  
2 enforcement, and the approval of the motion by supervisors in the United States Attorney's  
3 Office.

4  
5 SO STIPULATED:

JOSEPH P. RUSSONIELLO  
United States Attorney

6  
7 DATED: 3/26/09

/s/  
DANIEL R. KALEBA  
Assistant United States Attorney


8  
9  
10 DATED: 3/26/09

/s/  
RUBEN TORRES MUNOZ  
Counsel to Defendant VILLAFAN

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12  
13  
14 Accordingly, for good cause shown, the Court HEREBY ORDERS that the  
15 Judgment and Sentencing hearing set for March 30, 2009 be continued to June 1, 2009 at 1:30  
16 p.m.

17 SO ORDERED.

18  
19 DATED: March 27, 2009

  
JAMES WARE  
United States District Judge